

**City of Greensboro Planning Department  
Zoning Staff Report and  
Plan Amendment Evaluation  
November 14, 2005 Public Hearing (Zoning Commission)  
December 20, 2005 Public Hearing (City Council)**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** K  
**Location:** 2212 Freeman Mill Road (North side of Freeman Mill Road between Willomore Street and Glenwood Avenue)

**Applicant:** Jerry L. Tucker and Merle Stack  
**Owner:** Jerry L. Tucker and Merle Stack

**GFLUM**

**From:** Low Residential  
**To:** High Residential

**Zoning**

**From:** RS-7  
**To:** CD-RM-18

**Conditions:** 1) The use shall be limited to multifamily dwellings.  
2) The height of the buildings shall be limited to two stories.  
3) The exterior lighting shall be shielded such that it does not generate glare or otherwise allow the light to be directly viewed from off the property.

SITE INFORMATION	
Maximum Developable Units	56
Net Density	N/A
Existing Land Use	Undeveloped
Acreage	4.565
Physical Characteristics	<i>Topography:</i> Downward southerly slope <i>Vegetation:</i> Wooded <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	Single Family	RS-7
South	Freeman Mill Road	RS-7
East	Single Family	RS-7
West	Single Family	RS-7

ZONING HISTORY		
Case #	Year	Request Summary
		This property has been zoned RS-7 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 75S.

DIFFERENCES BETWEEN RS-7 (EXISTING) AND CD-RM-18 (PROPOSED) ZONING DISTRICTS
<b>RS-7:</b> Primarily intended to accommodate high density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 5.0 units per acre or less.
<b>CD-RM-18:</b> Primarily intended to accommodate multifamily uses at a density of 18.0 units per acre or less. See Conditions for use limitations and other restrictions.

TRANSPORTATION	
<b>Street Classification</b>	Freeman Mill Road – Major Thoroughfare.
<b>Site Access</b>	One proposed to Freeman Mill Road. There is a median at this location therefore this will be a right in right out only driveway. This driveway will be required to meet the minimum horizontal and vertical sight distance requirements as specified in the City of Greensboro Driveway Manual at the plan review stage.
<b>Traffic Counts</b>	Freeman Mill Road ADT = 19,413.
<b>Trip Generation</b>	N/A.
<b>Sidewalks</b>	Requirement per Development Ordinance. A 6' sidewalk with a 4' grass strip is required along both sides of thoroughfares. A 5' sidewalk with a 3' grass strip is required along one side of all other public streets.
<b>Transit</b>	Yes.
<b>Traffic Impact Study</b>	Not required per TIS Ordinance.
<b>Street Connectivity</b>	N/A.
<b>Other</b>	N/A.

ENVIRONMENTAL REVIEW	
<b>Water Supply Watershed</b>	N/A (North Buffalo 2)
<b>Floodplains</b>	N/A
<b>Streams</b>	Perennial (USGS Blue Line) on property requires a 50' buffer measured from top of steep slope, edge of contiguous wetland, or top of bank, whichever produces greatest buffer. The first 15' must remain undisturbed and the next 35' has a maximum built upon limit of 50% with no occupied structure allowed. Other streams have not been identified at this time for this site.
<b>Other</b>	Possibility of wetlands on site.

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
<i>North</i>	Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100'
<i>South</i>	Street Yard - 8' avg. width; 2 canopy/100', 4 understory/100', 17shrubs/100'
<i>East</i>	Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100'
<i>West</i>	Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100'

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods

POLICY4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 6A.2: Promote mixed-income neighborhoods.

POLICY 6A.4 Implement measures to **protect Greensboro's neighborhoods from potential negative impacts** of development, redevelopment, and/or public projects that are inconsistent with the neighborhoods' livability, architectural, or historical character, and reinvestment potential.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

### Connections 2025 Map Policies:

*The area requested for rezoning lies within the following map classifications:*

Existing:

#### **Low Residential (3 to 5 dwelling units per gross acre)**

This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there

are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Proposed:

**High Residential (over 12 dwelling units per gross acre)** - This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

COMPREHENSIVE PLAN AMENDMENT HISTORY		
Case #	Date	Request Summary
CP-04-05	12/07/04	An area of approximately 2.45 acres on Lovett Street was amended from Low Residential to Mixed Use Commercial.
CP-04-07	2/15/05	An area of approximately 16.36 acres on Freeman Mill Road between Willomore Street and Coliseum Boulevard was amended from Low Residential to Mixed Use Commercial.

### COMPREHENSIVE PLAN ANALYSIS

**Need for the Proposed Change:** This case involves a change from Low Residential (3-5 dwelling units per acre) to High Residential (over 12 dwelling units per acre). The proposed density of this site will be approximately 18 dwelling units per acre.

The request is located on the west side of Freeman Mill Road between Willomore Street and Glenwood Avenue. Freeman Mill Road is designated as a major thoroughfare. Freeman Mill Road is designated as a proposed route for the Bus Rapid Transit (BRT) and there is a proposed BRT station at the intersection of Freeman Mill Road and Coliseum Boulevard.

It meets Connections 2025 policies of promoting mixed income neighborhoods, promoting compact development, and promoting the diversification of new housing stock to meet the needs for suitable, affordable housing. However, there is a question about whether or not this proposed development will be compatible with its surroundings. The uses to the north, east and west of this site are single-family detached homes. The proposal is for multifamily dwellings that will be limited to two stories in height. Due to the topography and natural features on the site, the buildings will be built along the western property line. Staff has discussed, with the applicant, the possibility of increasing the landscape buffer (width and/or number of plantings) along the western line and reducing the density to try and make the development more compatible with the surrounding neighborhood. The applicant's attorney has indicated that added conditions would reduce the density to approximately 12 units per acre and would double the planting rate in the buffer along the western property line (see Staff Comments section).

**Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service, traffic counts, planned road improvements, transit, accidents statistics, and environmental constraints such as; location within a Water Supply Watershed, floodplain, streams):** None

**Implications, if any, the Amendment may have for Other Parts of the Plan:** This amendment may encourage other similar amendments in the vicinity as we have had a couple recent amendments in this area already.

**Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3):** None

## COMPREHENSIVE PLAN MONITORING COMMENTS

The Monitoring Committee met on November 7, 2005, and made the following comments concerning this request:

- Don't recommend changing the Plan for this;
- Appears to be wedging an incompatible use in between single family residential; and
- Does not seem to support the Comprehensive Plan policy that calls for the protection of existing neighborhoods.

## CONFORMITY WITH OTHER PLANS

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** The Coliseum Boulevard/Freeman Mill Road Corridor Plan had no specific recommendation for this immediate area with the exception that there should be zero tolerance for additional commercial zoning in this section of the corridor.

**Other Plans:** N/A

## STAFF COMMENTS

**Planning:** Except for the area at the intersection of Coliseum Boulevard and Freeman Mill Road, the zoning pattern of this area has remained relatively stable over the years.

This property has been vacant for many years, presumably due to its irregular shape, the stream which bisects the property and associated steep topography which, taken together, present difficulties for development of it. While its subdivision into single family lots may be preferable, such a land use may not be practical or financially feasible.

An infill type of multifamily development may be the most realistic use for this property. In this case, greater buffers and a lower density would help contribute to its compatibility with adjacent single family residences.

The applicant has submitted the following additional conditions which will be presented to the Zoning Commission for consideration at the public hearing:

3. The maximum number of apartment units shall be 56.
4. Along the western boundary of the property, the planting rate shall be 4 canopy trees per 100 linear feet, 6 understory trees per 100 linear feet and 34 shrubs per 100 linear feet.

**GDOT:** No additional comments.

**Water Resources:** State and Army Corps will have to be contacted for appropriate permits for any wetlands disturbance and/or stream crossing/disturbance. Drainage channels carrying public water require appropriate drainage, maintenance, utility easement.

### **STAFF RECOMMENDATION**

Based on all the information contained in this report, the Planning Department recommends approval of the Comprehensive Plan amendment to the High Residential land use classification and approval of the zoning to Conditional District-RM-18 primarily due to:

- It supports Comprehensive Plan policies that call for promoting mixed income neighborhoods, promoting compact development, and promoting the diversification of new housing stock to meet the needs for suitable, affordable housing;
- It is located on a Major Thoroughfare served by future bus rapid transit; and
- The addition of zoning conditions requiring greater buffers and a lower density will help contribute to its compatibility with adjacent single family residences.